

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Campus Televideo, Inc.)	MB Docket No. 16-246
)	CSR-8923-C
Complaint Concerning Retransmission of)	
WSEE-TV and WICU-TV, Erie, PA)	

To: Office of the Secretary
Attn: Media Bureau

REPLY TO RESPONSE

Lilly Broadcasting of Pennsylvania License Subsidiary, LLC, licensee of full-power television station WSEE-TV, Erie, Pennsylvania and SJL of Pennsylvania License Subsidiary, LLC, licensee of full-power television station WICU-TV, Erie, Pennsylvania (jointly, “SJL Broadcasting” or “Licensees”), by their attorneys, hereby replies to the Response filed by Campus Televideo, Inc. (“Campus Televideo”) on September 30, 2016.

Campus Televideo’s Response is its second pleading regarding SJL Broadcasting’s Complaint. On August 23, 2016, Campus Televideo filed its Answer. SJL Broadcasting submitted its Reply to that Answer on September 2, 2016 as permitted by Section 76.7 of the Commission’s rules.¹ By footnote, Campus Televideo acknowledged that its Response to SJL Broadcasting’s Reply is not contemplated by the rules and requested leave to file its Response. SJL Broadcasting does not oppose that request. However, it believes that a reply to that Response is in order.

¹ 47 C.F.R. § 76.7.

This filing addresses allegations in the Response that were not previously presented, including Campus Televideo's unsubstantiated and erroneous accusation that SJL Broadcasting is trying to confuse or misdirect the Bureau about Campus Televideo's business. This filing also responds to Campus Televideo's statements regarding the Bureau's investigation of the Complaint.²

On September 21, 2016, the Bureau issued a series of questions addressed to AT&T Services, Inc., DirecTV's parent company, requesting information to facilitate the Bureau's investigation of matters alleged in SJL Broadcasting's Complaint. The Bureau's letter references the Complaint and notes that SJL Broadcasting has alleged that Campus Televideo has been receiving the signals of SJL Broadcasting's stations (WSEE-TV and WICU-TV) from DirecTV and has been retransmitting those signals to Edinboro University, which subdistributes the signals to end user students residing on its campus, without authorization from SJL Broadcasting. The Bureau also cites to the Answer in which Campus Televideo states that it has been a DirecTV reseller at all relevant times. The Bureau's letter includes several questions about the business relationships DirecTV has with Campus Televideo, Edinboro University and SJL Broadcasting as they relate to the distribution of SJL Broadcasting's television stations.

Campus Televideo claims that it submitted its Response to SJL Broadcasting's Reply to "clear up the confusion that SJL Broadcasting's Reply seeks to engender regarding CTV's

² In this Reply to Response, SJL Broadcasting responds to new issues presented in Campus Televideo's Response and does not repeat arguments contained in its pleadings previously filed in this proceeding. SJL Broadcasting continues to rely on the arguments presented in the Complaint and Reply, as well as the exhibits attached to those pleadings, to support the claims that its television broadcast signals are being retransmitted without licensee consent and without any compensation being paid to SJL Broadcasting and that the Bureau must promptly and thoroughly investigate this matter and order appropriate remedies.

business model... .”³ Campus Televideo further describes SJL Broadcasting’s Reply as creating “a cloud of disorientation that has seeped into the Bureau’s letter dated September 21, 2016 to DirecTV’s parent, AT&T Services, Inc.”⁴ Campus Televideo overlooks the fact that any confusion about Campus Televideo’s business model arises from its own statements about its role and responsibilities for providing video programming that includes SJL Broadcasting’s stations to end user students residing on Edinboro University’s campus. As detailed in SJL Broadcasting’s Reply, the nature of Campus Televideo’s relationship with DirecTV and its role in providing video programming to Edinboro University’s end user students remains unclear. Indeed, Campus Televideo’s characterization of its role regarding video programming services received by Edinboro University end user students as set forth in its Answer ranges from purely administrative and technical to being a DirecTV sales representative to being a DirecTV reseller to being a provider of video services.⁵ Campus Televideo does not, and cannot, plausibly deny that it represented itself to be a DirecTV reseller in its Answer. Now Campus Televideo asserts for the first time that it is a “critical and undeniable fact” that it is only a sales representative for DirecTV, and as such, there is no basis for the Bureau to conduct an investigation.⁶

Although asserting that an investigation is not warranted, Campus Televideo (citing “convenience”), takes the liberty to respond to the inquiries posed to DirecTV in the Bureau’s September 21, 2016 letter.⁷ While Campus Televideo’s responses provide additional information to the Bureau which may or may not be relevant to the Bureau inquiry, those

³ Campus Televideo’s Response, at 1.

⁴ *Id.*

⁵ See SJL Broadcasting’s Reply, at 2-6.

⁶ See Campus Televideo’s Response, at 1-2 and 5.

⁷ See *id.*, at 5.

responses are Campus Televideo's responses, not responses from DirecTV, the entity to which the Bureau directed its inquiries. DirecTV and its parent corporation are represented by competent and experienced counsel in Commission matters and SJL Broadcasting is aware of no reason why DirecTV should not respond on its own behalf as the Bureau has directed it to do. Campus Televideo also notes that DirecTV's ongoing contractual relationships with Edinboro University, Campus Televideo, and SJL Broadcasting may make DirecTV "reluctant" to be involved.⁸ However, the very existence of those contractual relationships, each of which concerns some aspect of the distribution of SJL Broadcasting's stations, demonstrates that DirecTV is a highly relevant source of information that will be critical to the Bureau's efforts to resolve the matters set forth in the Complaint. The Bureau correctly determined that the allegations in the Complaint warrant further investigation and issued questions to DirecTV. Campus Televideo's speculation regarding DirecTV's possible reluctance to become involved in this proceeding has no bearing on whether the Bureau is entitled to a response from DirecTV to questions it posed to DirecTV and whether DirecTV is obligated to respond to the Bureau's inquiry letter.

⁸ *See id.*

Based on the foregoing, the Bureau should complete its investigation of the issues raised in SJL Broadcasting's Complaint and ensure that SJL Broadcasting is receiving the compensation to which it is entitled for retransmission of the signals of WSEE-TV and WICU-TV to Edinboro University end user students.

Respectfully submitted,

SJL BROADCASTING



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October 10, 2016

CERTIFICATE OF SERVICE

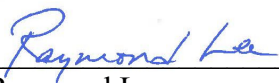
I hereby certify that a true and correct copy of the Reply to Response filed by Lilly Broadcasting of Pennsylvania License Subsidiary, LLC and SJL of Pennsylvania License Subsidiary, LLC on October 10, 2016, was sent by electronic mail and overnight delivery on October 10, 2016, to the following:

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